

REMARKS

The Office Action, dated November 20, 2007, has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 1-66 are currently pending in this application, including independent claims 1, 19, 37, and 52. In particular, Applicants amended claims 1, 19, and 37-66. It is respectfully submitted that the amendment adds no new subject matter to the present application and serves only to place the present application in better condition for examination. Therefore, entry of the amendment is respectfully requested. Reconsideration and allowance of claims 1-66 are respectfully requested in view of the amendments and the following remarks.

Rejection under 35 U.S.C §102(b)

The Office Action rejected claims 1, 5-14, 16, 19, 23-32, 34, 37-47, 49, 52, and 56-66 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Publication No. 2002/0036983 (Widegren). Applicants respectfully submit that Widegren fails to disclose or suggest all of the features recited in any of the pending claims.

Claim 1, from which claims 2-18 depend, is directed to a method in which a communication connection is initialized and a communication connection request is sent signaling for at least one service type to be used in the communication connection from a first communication entity to a third network element. The third network element,

requests an authorization for connection parameters from a fourth network element. The fourth network element decides on the connection parameters to be authorized for the communication connection and on service types which can be provided for the communication connection. A decision message is sent from the fourth network element to the third network element, wherein the decision message comprises an information portion that indicates, for each service, whether or not the fourth network element controls a further authorization regarding at least one of the service types in the communication connection.

Claim 19, from which claims 20-36 depend, is directed to a system that includes a third network element via which a communication connection is initialized, is configured to send a connection parameter request signaling for at least one service type to be used in the communication connection from a first communication entity. A fourth network element to which the third network element requests an authorization for connection parameters, is configured to decide on the connection parameters to be authorized for the communication connection and on service types which can be provided for the communication connection. The fourth network element is configured to generate and send a decision message to the third network element wherein the decision message comprises an information portion that indicates, for each service, whether or not the fourth network element controls a further authorization regarding at least one of the service types in the communication connection.

Claim 37, from which claims 38-51 depend, is directed to an apparatus that includes a receiver that receives from a third network element, via which a communication connection is initialized by a connection parameter request signaling for at least one service type to be used in the communication connection from a first communication entity, a request for an authorization for the connection parameters. A decider is configured to decide on connection parameters to be authorized for the communication connection and on service types which can be provided for the communication connection. A generator is configured to generate and send a decision message to the third network element wherein the decision message comprises an information portion that indicates, for each service, whether or not the device controls a further authorization regarding at least one of the service types in the communication connection.

Claim 52, from which claims 53-65 depend, is directed to an apparatus that includes a first receiving means for receiving, when a communication connection is initialized by a first communication entity, a connection parameter request signaling for at least one service type to be used in the communication connection. The network element further includes a requesting means for requesting, from a fourth network element, an authorization for the connection parameters, wherein the fourth network element decides on connection parameters to be authorized for the communication connection and on service types which can be provided for the communication connection. The network element also includes a second receiving means for receiving

from the fourth network element a decision message wherein the decision message comprises an information portion indicating, for each service, whether or not the fourth network element controls a further authorization regarding at least one of the service types in the communication connection.

Applicants respectfully submit that each of the above claims recites features that are neither disclosed nor suggested in Widegren.

As described in the previous response, dated September 6, 2007, Widegren is directed to filtering and gating data flow in a QoS connection between a remote host and user equipment in a packet data network using policy control mechanisms includes a remote host initiating an application in an application server and a corresponding session between the remote host and the user equipment ("UE") via the application server. The UE requests, to a gateway support node ("GGSN") of the network, establishment of a network bearer service between the UE and the remote host. A corresponding policy control function ("PCF") in a policy server receives, from the application server, filtering data derived from session data received by the application server during the session. The GGSN interrogates the corresponding PCF in the policy server to initialize a gate using policy control filtering data at the GGSN. The gate then filters the data flow in the QoS connection according to the policy control filtering data.

Applicants again respectfully submit that Widegren fails to disclose or suggest at least the feature (see for example, paragraph [0097] and Fig. 20, steps 4-6) that an information portion is transmitted from the PCF to the GGSN (which correspond to the

fourth and third network elements, respectively) which tells whether or not the PCF controls a further authorization regarding a service in the communication connection. Widegren merely describes that some sort of decision message is exchanged, but fails to teach or suggest that any additional information portion can be included which indicates whether or not the PCF is responsible for a further authorization, as described in embodiments of the presently claimed invention, for example, in paragraphs [0050] to [0053].

In response to these arguments, the Office Action stated the following at starting at page 10:

In regards to the entire remarks, in particular, that the Widegren reference fails to disclose or suggest a least the feature of "information portion indicating, for each service, whether or not the fourth network element controls a further authorization regarding at least one of the indicated service types in the communication connection. The examiner respectfully disagrees. In the Widegren reference the PCF may apply rules that restrict the use of specific access bearers dependent on network factors, such as the involvement of the Local SIP Proxy Server. Since the PCF is informed that the Local SIP Proxy Server is in use for this connection, the use of this bearer type is approved. The authority to establish the access bearer is independent from the authority to transmit data into the telephone network. Once the bearer is established, a "gate" is established at the GGSN that controls what data is permitted to enter the telephony network. This gate performs classification and policing of the data, similar to the DS edge functionality. The gate is controlled by data received from the application through the PCF (see paragraphs 0128 and 0129). Therefore, independent claims 1, 19, 37, and 52 are rejectable under Widegren.

Applicants respectfully suggest that the Office Action is technically mistaken. In particular, Widegren discloses in paragraphs [0128] and [0129] that the PCF always controls which data may pass the gate. However, it is not disclosed in and also not

derivable from Widegren that for a particular service a further authorization is necessary, as described, for example, in paragraphs [0039] and [0050] of the present application. Furthermore, there is also no disclosure in Widegren regarding an indication (or information portion) to be sent in order to indicate whether or not a further authorization is required or controlled by the fourth network element. In other words, according to Widegren, the disclosed gate is controlled by PCF, but **there is no teaching or suggestion that a further authorization is required or that this kind of requirement is indicated in a decision message from another network element**, as recited in claim 1. In addition, Widegren does also not disclose that **multiple service flows are aggregated in one communication connection, and the further authorization is for one of services in the communication connection**, as recited in claim 1. Consequently, at least the recitation in claim 1 regarding a transmission of a decision message containing the indication, for each service, of whether or not another network element controls a further authorization regarding at least one of the service types in the communication connection is not disclosed or suggested by Widegren.

In conclusion, because Widegren neither teaches nor suggests each and every limitation contained therein, claim 1 is consequently allowable over Widegren. Reconsideration and allowance of claim 1 in view of these comments are respectfully requested. Independent claims 19, 37, and 52, although of different in scope and although rejected in view of different sections of Widegren than claim 1, recite similar limitations related to a transmission of a decision message containing the indication, for

each service, of whether or not another element controls a further authorization regarding at least one of the service types in the communication connection. Claims 19, 37, and should, therefore, be allowable over Widegren for similar reasons. Applicants respectfully again submit that because claims 5-14, 16, 23-32, 34, 38-47, 49, and 56-66 depend from claims 1, 19, 37, and 52, these claims are allowable at least for the same reasons as claims 1, 19, 37, and 52, as well as for the additional features recited in these dependent claims.

Based at least on the above, Applicants respectfully submitted that Widegren fails to disclose or suggest all of the features recited in claims 1, 5-14, 16, 19, 23-32, 34, 37-47, 49, 52, and 56-66. Accordingly, withdrawal of the rejection under 35 U.S.C. 102(b) is respectfully requested.

Rejection under 35 U.S.C §103(a)

The Office Action further rejected claims 2-4, 15, 17, 18, 20-22, 33, 35, 36, 48, 50, 51 and 53-55 under 35 U.S.C. 103(a) as being obvious over Widegren, in view of US Patent No. 7,024,487 (Mochizuki). The Office Action took the position that Widegren disclosed all of the features recited in these claims except processing, in the third network element, the decision message for enforcing a decision of the fourth network element in the communication connection and determining, based on the information portion, types of communication connection flows of which can be admitted by the third network element without consulting the fourth network element, and types of communication

connection flows which are to be controlled by the fourth network element. The Office Action asserted that Mochizuki disclosed this feature. Applicants respectfully submit that the cited references, taken individually or in combination, fail to disclose or suggest all of the features recited in any of the above claims. Specifically, Applicants respectfully submit that Widegren is deficient at least for the reasons discussed above, and Mochizuki fails to cure these deficiencies.

As discussed in the previous Response, Mochizuki is directed to “management terminals” that send information to an “assistant server” which includes a demand information database supplied by this information (see Figs. 1, 2 or 6 and passage at col. 7, lines 30 to 48 of Mochizuki). However, Mochizuki fails to disclose any further communication between the management terminal and the assistant server. Mochizuki merely describes in Fig. 13 another case where such a later communication between the management terminal and the assistant server occurs (steps 51109 and 51110).

Furthermore, Mochizuki is silent regarding the management terminal also transmitting an information portion indicating, for each service, whether or not the management terminal controls a further authorization regarding at least one of the indicated service types in the communication connection. Thus, Mochizuki fails to cure the deficiencies of Widegren. Furthermore, the Office Action at pages 10-11 in the remarks in reply to the Applicants’ previously submitted arguments does not argue or suggest that Mochizuki would make up for any deficiencies in Widegren in any of the independent claims 1, 19, 37, and 52.

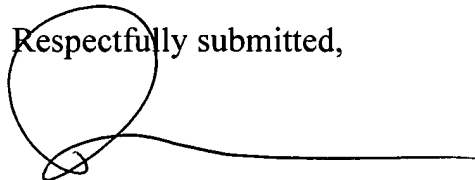
Based at least on the above, Applicants respectfully submit that the cited references fail to disclose or suggest all of the features recited in claims 2-4, 15, 17, 18, 20-22, 33, 35, 36, 48, 50, 51 and 53-55. Accordingly, withdrawal of the rejection under 35 U.S.C. 103(a) is respectfully requested.

Applicants respectfully submit that each of claims 1-66 recites features that are neither disclosed nor suggested in any of the cited references. Accordingly, it is respectfully requested that each of claims 1-66 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned representative at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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Enclosures:

Request for Continued Examination (RCE) Transmittal
Check No. 018192